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VIA COURIER

November 2, 1990

Mr. Steven J. Calder
Waste Management Division
United States Environmental
Protection Agency
Region I
J.F. Kennedy Federal Building, HSN-CAN5
Boston, Massachusetts 02203

Superfund Records Center
SITE: Coakley
BREAK: 119
OTHER: 559090

Re: Coakley Landfill Superfund Site
North Hampton, New Hampshire

Dear Mr. Calder:

I am counsel to Booth Fisheries Corporation ("Booth"), a wholly-owned subsidiary of Sara Lee Corporation ("Sara Lee"), formerly known as Consolidated Foods Corporation. This letter is in response to the notice of potential liability and request for information (the "Information Request") from the U.S. Environmental Protection Agency (the "EPA") concerning the Coakley Landfill Superfund site (the "Site") dated February 2, 1990, which we believe may have been sent to Booth in care of Harvey Lemowitz, 12-14 Fargo Street, Boston, Massachusetts 02210-1992. Booth formerly operated a fish processing and cold storage warehouse facility at that address from January, 1985, until July, 1989, when it was sold to a company by the name of North Coast Sea-Foods Corp.

Although Booth has never received a copy of the Information Request, we recently learned that the EPA had named Booth as a PRP at the Site when counsel to National Sea Products Incorporated ("NSP") provided us with a copy of the notice of potential liability and request for information dated February 2, 1990, which had been sent to NSP by the EPA. NSP purchased Booth's Portsmouth, New Hampshire, fish processing and cold storage warehouse facility (the "Facility") on January 20, 1983.



Following our receipt of this information, Booth filed a Freedom of Information Act ("FOIA") request with the EPA requesting that it provide us with copies of all information in its possession which allegedly linked Booth to the Site. The EPA's response, which we received on August 31, 1990, denied our request based upon the determination by Cynthia E. Catrie, Esq., Office of Regional Counsel, Region I, that such information was enforcement sensitive.

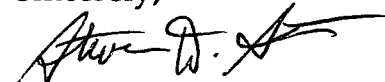
After receiving this response, we contacted various members of the Ad Hoc Steering Committee (the "Steering Committee") made up of potentially responsible parties ("PRP") identified by the EPA at the Site and spoke with certain former Booth employees, most of whom are still employed by NSP, to determine whether Booth may have been connected to the Site by virtue of its solid waste disposal practices at the Facility prior to January 20, 1983. We also joined the PRP Group for the Site and attended its latest meeting on October 22, 1990.

Neither the PRP Group nor the individuals we spoke to has been able to provide us with any records connecting Booth to the Site. If the EPA has evidence in its possession which establishes that Booth disposed of hazardous waste at the Site, we request that you provide us with a copy of it so that we can properly evaluate the request by the Steering Committee that Booth participate in negotiations with the EPA concerning response actions at the Site. If there is no such evidence in the EPA's possession, we request that the EPA remove Booth from the list of PRP's at the Site.

Booth wishes to cooperate with the EPA and the Steering Committee in connection with this matter, and accordingly, is in "good faith" responding to the Information Request, even though a copy of it, despite the FOIA request, was never received by Booth. Through our membership in the PRP Group, we will continue to monitor the negotiations between the Steering Committee and the EPA. However, it is Booth's position that it should not be required to participate in such negotiations without the requested information.

Should you have any questions or comments concerning this letter or need any additional information, please call me at the above number. All future correspondence concerning this matter should be sent to my attention at the above address.

Sincerely,



Steven D. Stern

cc Jay Witzig

RESPONSE TO EPA INFORMATION REQUEST
DATED FEBRUARY 2, 1990

As noted in the accompanying letter, Booth has not received a copy of the notice of potential liability and request for information from the EPA concerning the Site dated February 2, 1990, sent to Mr. Harvey Lemowitz. Accordingly, the following responses are based upon the EPA's notice to NSP dated February 2, 1990. The responses are confined to the period from 1972 to January 20, 1983. The abbreviations used herein shall have the same meaning as when used in the accompanying letter.

1. Describe in detail how you or your company handled and disposed of all solid waste and hazardous waste from 1972 to 1985, including, but not limited to the following details:
 - a. Describe whether your practices involved any segregation of wastes before disposal, and how you handled and disposed of each type of waste after segregation.

Booth's Response

The solid waste generated by Booth at the Facility was segregated into two (2) components - food and non-food. The solid food wastes, which were of a non-hazardous nature, consisted of batter, cooked and uncooked breadings and fish scraps, and the solid non-food wastes consisted primarily of paper, cardboard, corrugated boxes and other such packaging materials.

The batter, which was comprised of eggs, water, spices and flour, was pumped from the Facility's batter machines into 55 gallon drums at the end of each day and allowed to settle overnight. Each morning the water would be poured off into the Facility's sanitary sewer system. This process was repeated until a drum was sufficiently full to warrant disposal, at which time, it was transported for disposal, at no cost to Booth, to a location other than the Site, its contents dumped at the location and the drums returned to Booth for further use. Initially, this service was provided by a Booth employee, and later by a local hog farmer named Nicholas DiCola. To the best of Booth's knowledge, Mr. DiCola, who resides at Gile Road, Nottingham, New Hampshire, used the batter as animal feed at his farm.

The uncooked breadding and cooked breadding (known as fines) was handled and disposed of in a similar manner. At the end of each day, the contents of the Facility's breadding machines were emptied into 55 gallon drums. When the drums were sufficiently full to warrant disposal, they were placed on the loading dock for the Facility's dry storage warehouse and then picked up by Mr. DiCola, transported to his farm, the contents dumped and the drums returned to Booth by him for further use by Booth, all at no charge. To the best of Booth's knowledge, Mr. DiCola used the breadding as animal feed at his farm.

The fish scraps (known as sawdust) were also placed into 55 gallon drums and when sufficiently full, the drums were picked up by a local mink farmer, transported to his farm, the contents dumped and the drums returned to Booth by him for further use by Booth, again, at no charge. The mink farmer's last name was Hutt and was located near Gloucester, Massachusetts. To the best of Booth's knowledge, Mr. Hutt used the scraps as animal feed at his farm.

Solid non-food wastes from Booth's fish processing operations were placed in a trash compactor located at the loading dock for the Facility's dry storage warehouse. Solid non-food wastes from its cold storage warehouse operations were placed into a single dumpster located at the loading dock for the cold storage warehouse. Approximately, every other day a company by the name Great Bay Disposal, Inc. ("Great Bay"), and later Browning-Ferris Industries ("BFI"), which purchased Great Bay, emptied the contents of the compactor and dumpster into its truck and transported the waste to an unspecified location for disposal. BFI's corporate office is located at Ashford Place, 14701 St. Mary's Street, Houston, Texas 77079.

Due to the nature of Booth's operations at the Facility, being that it was a food processing plant, it is highly unlikely that the solid non-food waste generated by it would have been hazardous since it would not have wanted such waste to come into contact with its food products. Booth did, however, utilize certain liquid wastes in connection with its operations at the Facility, some of which may have contained hazardous substances. The liquid wastes used by it consisted of used compressor and hydraulic oil.

The used compressor oil was periodically bled from the compressors used to run Booth's ammonia refrigeration system and placed into 55 gallon drums. The oil was picked up as needed by a recycling company and, to the best of Booth's knowledge, recycled by it. Booth was paid by the company for the oil. To the best of Booth's knowledge, none of this oil was disposed of at the Site. The name and address of the company is not known.

- b. Describe whether any of your waste handling and disposal practices changed during this period, and if so, on what date and describe the procedures in effect before and after each change.

Booth's Response

Except as otherwise noted at response 1. a. above, the solid and hazardous waste handling and disposal practices described therein did not change during the period in question.

- c. Provide any documentation you have concerning any such waste handling or disposal practices or procedures (for example, without limitation: manifests, invoices, purchase orders, internal memoranda, dump receipts, company policies), and give the name and current address of any person who might have knowledge of such practices or procedures.

Booth's Response

Booth has no documentation in its possession concerning the solid and hazardous waste handling and disposal practices described at response 1. a. above. However, Booth believes that BFI may have in its possession a list of the customers whose waste it and its predecessor, Great Bay, transported and disposed of during the period in question.

The name of each person contacted by Booth with direct knowledge of its solid waste disposal practices is noted below. The position held by such persons during the period in question is set forth opposite their name. Each of these persons is currently employed by NSP which is located at 1 High Liner Avenue, P. O. Box 839, Portsmouth, New Hampshire 03801.

Dennis Grant	Production Supervisor
Donny Huston	Maintenance Supervisor
Dennis Keating	Facilities Maintenance Mechanic

2. Describe any knowledge you or your company have of the disposal of any industrial waste or liquid waste at the Site by you, your company or any other person or entity after or before regular business hours. Give the name and current address of any persons who might have knowledge of such disposal.

Booth's Response

Booth has no knowledge of the disposal of any industrial or liquid waste at the Site by it or any other person before, during or after the Site's regular business hours.

3. List the name and current address of all entities which transported for disposal any of the waste you or your company generated.

Booth's Response

To the extent they are known, the name and current address of all entities who transported waste for Booth for disposal are identified at response 1. a. above.